

GENERAL COUNSEL'S REPORT

December 13, 2017

E. Bartlett ASC, LLC, Bartlett (Shelby County), TN- CN1605-020A

Unanimously approved on 10/26/2016 for the establishment of a multi-specialty ambulatory surgical treatment center (ASTC) to include two operating rooms, one procedure room, and an unequipped operating room for future growth. The ASTC will be managed by USP Tennessee, Inc., whom it was anticipated would have a majority ownership interest.

A Change of Ownership is requested, to permit the flexibility of offering up to 70% ownership interest to physicians who will perform surgeries at the ASTC.

November 30, 2017

VIA HAND DELIVERY

Ms. Melanie Hill, Executive Director
Health Services and Development Agency
Andrew Jackson Building
502 Deaderick Street, 9th Floor
Nashville, Tennessee

Re: Bartlett ASC, LLC
CN1605-020A

Dear Ms. Hill:

Bartlett ASC, LLC ("BASC") received a certificate of need for a multi-specialty surgery center on October 26, 2016 with two operating rooms, one procedure room, and an unequipped operating room for future growth. BASC is to be managed by USP Tennessee, Inc. ("USPT") and USPT is the current member of BASC. At the time the application was filed and approved, the applicant anticipated that USPT would have a majority interest in BASC. As USPT has been working on the syndication of the BASC, it seems there is more physician interest than originally anticipated. BASC would like the flexibility to offer up to 70% ownership interest to physicians who will perform surgeries at BASC.

Please place this request on the agenda for the December meeting of the HSDA. If you have any questions or need additional information, please do not hesitate to call me at (615) 850-8722 or email me at kim.looney@wallerlaw.com. Thank you.

Sincerely,



Kim Harvey Looney

KHL:lag



State of Tennessee

Health Services and Development Agency

Andrew Jackson, 9th Floor, 502 Deaderick Street, Nashville, TN 37243
www.tn.gov/hsda Phone: 615-741-2364 Fax: 615-741-9884

November 23, 2016

Kim Looney, Esq.
Waller Lansden
511 Union Street, Suite 2700
Nashville, TN 37219

RE: Bartlett ASC, LLC - CN1605-020A

Dear Ms. Looney

As referenced in our recent letter, please find enclosed your Certificate of Need for the above-referenced application that was approved at the October 26, 2016 meeting of the Tennessee Health Services and Development Agency.

The Health Services and Development Agency Rules require that an Annual Progress Report be submitted each year and a Final Project Report form is to be submitted within ninety (90) days after completion of a project which shall include completion date, final costs, and other relevant information in regards to the project, pursuant to Public Acts 2002, Chapter No. 780, § 16-11-1609(d). Also required is the registration of certain medical equipment pursuant to Tennessee Code Annotated § 68-11-1607(i), which states "*The owners of the following types of equipment shall register such equipment with the health services and development agency: computerized axial tomographers, magnetic resonance imagers, linear accelerators and positron emission tomography.*" "*The survey shall include but not limited to the identification of the equipment and utilization data according to source of payment.*"

The aforementioned forms can be found on the Agency's website at www.tennessee.gov/HSDA. Should you have any questions or require further information regarding this Certificate, please do not hesitate to contact this office.

Sincerely,

Melanie M. Hill
Executive Director

cc: Trent Sansing, TDH/Health Statistics, PPA
Ann R. Reed, TDH/HCF

STATE OF TENNESSEE
Health Services and Development Agency



Certificate of Need No. **CN1605-020A** is hereby granted under the provisions of T.C.A. § 68-11-1601, *et seq.*, and rules and regulations issued thereunder by this Agency.

To: Bartlett ASC, LLC
8 Cadillac Drive, Suite 200
Brentwood, TN 37027

For: Bartlett ASC, LLC

This Certificate is issued for: The establishment of a multi-specialty ambulatory surgical center (ASTC) providing outpatient surgery services.

CONDITION – Limited to 3 operating rooms and 1 procedure room.

On the premises located at: 0 Kate Bond Blvd
Bartlett (Shelby County), TN 38133

For an estimated project cost of: \$9,837,855.48

The Expiration Date for this Certificate of Need is


December 1, 2018

or upon completion of the action for which the Certificate of Need was granted, whichever occurs first. After the expiration date, this Certificate of Need is null and void.

Date Approved: October 26, 2016


Chairman

Date Issued: November 23, 2016


Executive Director